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09/899,895	07/05/2001	Illah Nourbakhsh	20191.707	3588

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EXAMINER

GRAYSAY, TAMARA L

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/899,895

Applicant(s)

NOURBAKSH ET AL.

Examiner

Tamara L. Graysay

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) (4 pages)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date (3 pages).
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Requirement for Information.

DETAILED ACTION

Preliminary Matters

1. This Office action has an attached requirement for information under 37 CFR 1.105. A complete reply to this Office action must include a complete reply to the attached requirement for information. The time period for reply to the attached requirement coincides with the time period for reply to this Office action.

Information Disclosure Statement

2. The information disclosure statement filed 09 October 2001 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, and the information referred to therein that has not been considered has been lined-through by the examiner.

Drawings

3. The drawings are objected to because of the following:
- a. Figure 3, the lead lines for reference characters 304, 306, and 310 are not directed to the elements as they are described in the specification at page 18, lines 1-5, for example.
 - b. Figure 3 appears to be two separate figures and should be labeled as such. If they are one figure, then they should be bracketed if an exploded view or connected to each

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other in some manner, e.g., as part of the discrete long-range simulator as mentioned at the bottom of page 17.

- c. Figure 4, step 402 should be redistribute erlangs.
- d. They fail to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 506 and 508 (Fig.5).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

5. The disclosure is objected to because of the following informalities:

- The term erlang(s) when used as a measurement need not be capitalized in written text and a capital E should be used if referring to Erlang's formula or the measurement of

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erlangs within a formula. (See erlang (E), Hargrave's Communications Dictionary, Wiley (2001).)

- The equations, as presented in the specification at pages 18-19 are not presented in a conventional format. Correction should be made unless the description is computer code.
- The use of acronyms is acceptable, however, each should be spelled out at least at its first occurrence (PCA at page 19, line 3, etc.; AHT at page 19, line 4, etc.; occ at page 19, line 14, etc.; FMLA page 20, line 3; FUTA at page 20, line 11).
- Page 20, line 20, Figure 7 should be Figure 6; and line 21, Figure 8 should be Figure 7.

Appropriate correction is required.

6. The use of the trademark Excel and the trademark Wizard and the trademark Java has been noted in this application. Each should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Objections

7. Claims 9, 22, and 36 are objected to because of the following informalities:

- long-range is misspelled.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. Claims 1-15 are rejected under 35 U.S.C. 101 because the claimed invention is directed to nonstatutory subject matter.

A computer-related process claim is statutory if it is limited to a practical application within the technological arts.

First, a practical application is one that produces a useful, concrete, and tangible result. Useful result has a real world application. Concrete and tangible result is reproducible. In the present application the claimed process produces a useful, concrete, and tangible result because the process includes defining a resource, defining a workload, specifying a criteria (intended to be satisfied by a long-range staffing plan), and calculating an effect of applying the resource to the workload. The calculated effect has a real world application, i.e., to be used in planning.

Second, a statutory process is a mode of treatment of certain materials to produce a given result. It is an act or series of acts, performed upon the subject matter to be transformed and reduced to a different state or thing. The statutory process requires that certain things should be done with certain substances, and in a certain order; but the tools to be used in doing this may be of secondary consequence. MPEP § 2106,IV,B,2. In the present application the claims are drawn to a process of determining the effect of a resource, including performance and effective cost, when applied to a work load. Because the acts are not performed on any subject matter that is to be transformed and reduced to a different state, the claims are nonstatutory, i.e., they are not within the technological arts. The process steps as claimed are not within the technological arts

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because the process is not implemented using technology or a computer. The process, without any technology within its scope is nonstatutory subject matter.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 3-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 3, the “at least one employee profile” lacks antecedent basis in the claim because claim 2 is limited to the at least one resource description includes an employee profile, not at least one employee profile. Thus, the later recited at least one employee profile is not provided for in antecedent. Similarly, the at least one queue recited in claim 3 does not have antecedent basis in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-6, 9, 10, 14-19, 22, 23, 27, 30-33, 36, 37, 41, and 42 are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention.

The Blue Pumpkin I-V information, taken as a whole, is found to be evidence of a public use or on sale bar more than one year prior^{10A} to applicant's filing date in the United States. In the following paragraphs, the examiner directs applicant to some exemplary portions^{10B} of the Blue Pumpkin I-V information.

For example, Blue Pumpkin I • 1,17-21 • pp.2,26-30 and Blue Pumpkin II • 1,11-12 • pp.2,28-30, which include "Success Stories;" Blue Pumpkin III • 1,7-11 • pp.2,12-17, which includes "Partners;" Blue Pumpkin IV • 1,9-15 • pp.2,16-27, which includes "Other Success Stories..." and "Cybernetics customers click here for a competitive upgrade offer;" and Blue Pumpkin V • 1-3 • pp.2-6, which includes "January 25...Enterprise 2.0."

Further, Blue Pumpkin I • 12 • p.17-18, which reads, "The product [PrimeTime software] is available now." Blue Pumpkin I • 16, •p.24, which reads, "Blue pumpkin will demonstrate ... PrimeTime this week at the ... conference, August 27-28, 1997, in Denver, Col." Blue Pumpkin II • 6 • p.11, which reads workforce management demonstrated by deployment of "proprietary scheduling algorithms."

Regarding efficiency percentage (claim 3), Blue Pumpkin I • 4 • p.5 refers to maximizing effectiveness.

Regarding the queue occupancy and estimated cost (claim 4, 17, 31), Blue Pumpkin I • 4 • p.5, includes reference to balancing employee availability with the needs of the call center which relates to the queue of a call center and reducing overstaffing which is inherently tied to estimated cost.

Regarding the particular process for iteratively calculating effects (claim 5, 18, 32), Blue Pumpkin I • 7 • p.9 refers to matching service goals and minimizing overstaffing using constraint

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propagation, simulated annealing and other heuristic search models to schedule optimal solutions incorporating preferences and variables. Blue Pumpkin II • 5 • p.15 center column notes that adjustments to the schedule for the call center are made each time a change is made to an agent schedule. Blue Pumpkin II • 5 • p.14 right column notes that PrimeTime can change agent schedules by making them unavailable or changing break times or shift hours and clicking a re/schedule button will immediately determine a new plan or schedule. Changing shift hours is inherently adding an employee one at a time and changing shift hours again is adding another employee, as broadly claimed in claim 5.

Regarding redistributing work and recalculating work load (claim 6, 19, 33), Blue Pumpkin I • 7 • p.9 refers to simulation of any number of queues, calls, agents, and call distributions and Blue Pumpkin I • 5 • p.6, “patent pending algorithms” to minimize over or understaffing, try different scenarios.

Regarding multiple contact media and skill sets across queues and contact media (claim 14, 41), Blue Pumpkin I • 16 • p.25, discloses that the software enables integration of voice, video, and Internet. Blue Pumpkin II • 5 • p.15 right column notes that Blue Pumpkin disclosed to the public the use of skill-based scheduling. Blue Pumpkin III • 2 • p.3 refers to multiple groups and agent skills as the basis for scheduling. Blue Pumpkin III • 5 • p.9 refers to agents having multiple skills, and planning based on multiple agent skills and ACD queues.

Regarding addition additional employees taking into account employees already added across multiple queues and multiple contact media (claim 15, 27, 42), Blue Pumpkin I • 5,7 • pp.6,9, which describes simulation of queues, calls, agents, and call distributions and algorithms

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to minimize over or understaffing; and Blue Pumpkin I • 16 • p.25, the software enables integration of voice, video, and Internet.

Regarding queue volume over time, contact volume, average handling time (AHT), actual service level, and required service level (claim 9, 22, 36), each is an ACD derived statistic. Blue Pumpkin II • 3 • p.4-8 and Blue Pumpkin II • 5 • p.13-14, refers to the data collection of number, time, and length of incoming calls which is imported to the PrimeTime software for analysis in planning and scheduling.

Regarding display of more than one staffing plan (claim 10, 23, 37), Blue Pumpkin II • 5 • p.15, for example, the figures display a staffing schedule and staffing requirement comparison on a single display.

^{10A} As noted on the attached PTO-892, all of the information is more than one year prior to applicant's filing date in the United States. The first page of each Internet Archive search I-V includes a URL listing for the contents of information. All of the information provided was accessed via a "live link" on the Blue Pumpkin web pages via the Internet Archive database. Therefore, each of the pages of information is considered to be available on the date of the Home page. The dates for each Home page is as follows:

- I. January 28, 1998 (33 pages)
- II. April 21, 1998 (30 pages)
- III. February 4, 1999 (17 pages)
- IV. April 29, 1999 (27 pages)
- V. March 2, 2000 (41 pages)

^{10B} Reference to portions of the information is made by a Roman numeral designating the particular Internet Archive Page (I, II, III, IV, or V), item number (1, 2, 3, etc.), and page number of the compiled information.

11. Claims 1-6, 9, 10, 14-19, 22, 23, 27, 28, 30-33, 36, 37, 41, and 42 are rejected under 35 U.S.C. 102(b) as being anticipated by Blue Pumpkin I-V (Internet Archive). The information, taken as a whole, is found to be a public disclosure of the claimed invention more than one year

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prior^{11A} to applicant's filing date in the United States. In the following paragraphs, the examiner directs applicant to some exemplary portions^{11B} of the Blue Pumpkin I-V information.

Blue Pumpkin I-V discloses long-range planning (PrimeTime, including F & S, Enterprise, Insight, and Skills) for a complex system (I-V, workforce management, e.g., call center) comprising: defining at least one resource description (I-V, call center personnel or agents), as a group having similar characteristics (I • 3-5 • pp.4-6, call center agents having skill sets; Blue Pumpkin I • 6 • p.15, refers to disclosure to the public of skills-based scheduling), including at least one capability (I • 3 • p.4, availability) and at least one performance measure (wrap-up time); defining at least one work load (I • 5 • p.6, staffing level demands); specifying at least one criteria to be satisfied (I • 5 • p.6, optimal schedule, breaks, shift length, off-phone time); and calculating an effect of applying the resource description to the work load including at least one performance measure and an effective cost per hour (I • 5 • p.6, "patent pending algorithms" to minimize over or understaffing, try different scenarios).

Regarding efficiency percentage (claim 3), Blue Pumpkin I • 4 • p.5 refers to maximizing effectiveness.

Regarding the queue occupancy and estimated cost (claim 4, 17, 31), Blue Pumpkin I • 4 • p.5, includes reference to balancing employee availability with the needs of the call center which relates to the queue of a call center and reducing overstaffing which is inherently tied to estimated cost.

Regarding the particular process for iteratively calculating effects (claim 5, 18, 32), Blue Pumpkin I • 7 • p.9 refers to matching service goals and minimizing overstaffing using constraint propagation, simulated annealing and other heuristic search models to schedule optimal solutions

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incorporating preferences and variables. Blue Pumpkin II • 5 • p.15 center column notes that adjustments to the schedule for the call center are made each time a change is made to an agent schedule. Blue Pumpkin II • 5 • p.14 right column notes that PrimeTime can change agent schedules by making them unavailable or changing break times or shift hours and clicking a re/schedule button will immediately determine a new plan or schedule. Changing shift hours is inherently adding an employee one at a time and changing shift hours again is adding another employee, as broadly claimed in claim 5.

Regarding redistributing work and recalculating work load (claim 6, 19, 33), Blue Pumpkin I • 7 • p.9 refers to simulation of any number of queues, calls, agents, and call distributions and Blue Pumpkin I • 5 • p.6, “patent pending algorithms” to minimize over or understaffing, try different scenarios.

Regarding multiple contact media and skill sets across queues and contact media (claim 14, 41), Blue Pumpkin I • 16 • p.25, discloses that the software enables integration of voice, video, and Internet. Blue Pumpkin II • 5 • p.15 right column notes that Blue Pumpkin disclosed to the public the use of skill-based scheduling. Blue Pumpkin III • 2 • p.3 refers to multiple groups and agent skills as the basis for scheduling. Blue Pumpkin III • 5 • p.9 refers to agents having multiple skills, and planning based on multiple agent skills and ACD queues.

Regarding addition additional employees taking into account employees already added across multiple queues and multiple contact media (claim 15, 27, 42), Blue Pumpkin I • 5,7 • pp.6,9, which describes simulation of queues, calls, agents, and call distributions and algorithms to minimize over or understaffing; and Blue Pumpkin I • 16 • p.25, the software enables integration of voice, video, and Internet.

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Regarding queue volume over time, contact volume, average handling time (AHT), actual service level, and required service level (claim 9, 22, 36), each is an ACD derived statistic. Blue Pumpkin II • 3 • p.4-8 and Blue Pumpkin II • 5 • p.13-14, refers to the data collection of number, time, and length of incoming calls which is imported to the PrimeTime software for analysis in planning and scheduling.

Regarding display of more than one staffing plan (claim 10, 23, 37), Blue Pumpkin II • 5 • p.15, for example, the figures display a staffing schedule and staffing requirement comparison on a single display.

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- V. March 2, 2000 (41 pages)

^{11B} Reference to portions of the information is made by a roman numeral designating the particular Internet Archive Page (I, II, III, IV, or V) and page number of the compiled information.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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12. Claims 7, 20, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blue Pumpkin I-V.

Blue Pumpkin I, for example, refers to general costs (non-phone time, breaks, vacations) rather than the particular type of employee or associated costs. Blue Pumpkin II • 5 • p.14, for example, refers to costs associated with headcount for a day. The examiner takes Official notice that the use of wage, shrinkage, and burden as cost factors is well known in the scheduling and planning field of business management and operations research.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Blue Pumpkin I to include shrinkage, burden and wage when determining cost for a particular schedule or scenario in order to follow the well known apples to apples comparison. For example, the cost associated with a full-time and is probably not the same as a part-time employee, a seasoned or experienced employee is probably not the same as a new or inexperienced employee. So the only valuable comparison would take into consideration the shrinkage, burden and wage of each employee.

13. Claims 8, 13, 21, 26, 35, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blue Pumpkin I-V. Blue Pumpkin II • 9 • p.18, reference is made to non-phone activities in a call center. Included are breaks. In the field of customer service, the need for training in the particular company's policy and procedure would also fall into a non-phone activity. The abstract ties a well placed non-phone activity to cost savings (i.e., reduced waste of budget). The examiner takes Official notice that the time and cost for training an employee to the point that the employee is at a level to perform assigned tasks is part of an accurate company

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budget and workforce schedule. Further, in the case of a call center, as disclosed in Blue Pumpkin II, the cost of training an employee to a level that the employee can perform live (on the phone or other contact media) must be taken into consideration when evaluating costs in order to avoid losing customers, customers hanging-up before being helped. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Blue Pumpkin to include training time and costs for preparing an employee to perform live in a call center, in order to avoid customer service problems, such as losing customers, customer hang-ups, etc.

14. Claims 11, 12, 24, 25, 38, 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blue Pumpkin I-V.

Blue Pumpkin II • 5 • p.15, figure 26 for example, displays that include more than one plan are in a line graph with the two plans shown overlaying each other. The examiner takes Official notice that the use of columns and rows to display data is a well known expedient when comparing figures in the accounting field of endeavor. Moreover, the use of tools to place columns or rows next to each other for ease in comparison are within the level of ordinary skill in the operations research art insofar as the closer the rows or columns are that are being compared, the less likely a mistake will be made when making a visual comparison of the data in a row or column with the data in another row or column. For example, folding paper to place columns or rows next to each other is common, and spreadsheet tools that enable hiding or moving of columns or rows is also well known in the visual display field of endeavor. Applicant

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is providing such capabilities in order to avoid errors. The level of skill is such that hiding and moving, well known expedients, would have been within the level of ordinary skill in the art.

15. Claims 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blue Pumpkin I-V in view of MPP (Massively Parallel Processing).

MPP teaches the use of computer networks having processors having their own storage device (memory), in order to optimize system performance, are well known in the computer art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Blue Pumpkin I-V to include storage and access of information through the network, such as suggested by MPP, in order to optimize system performance.

Conclusion

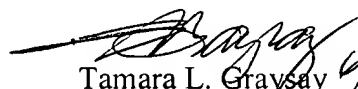
16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamara L. Graysay whose telephone number is (571) 272-6728. The examiner can normally be reached on Mon - Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Tamara L. Graysay 6/23/05
Examiner
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20050620

Requirement for Information

Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

1. In response to this requirement, please provide answers to each of the following interrogatories eliciting factual information:
 - a. Provide a copy of the “complete and easy-to-follow user’s guide for PrimeTime including the version referred to in the right column of Blue Pumpkin II • 5 • p.12,
 - b. Provide a copy of any subsequent version(s) of the PrimeTime user’s guide(s) that were available to the public prior to the filing date of the present application. For example, version 1.3 referred to at Blue Pumpkin II • 9 • p.25.
2. In response to this requirement, please provide copies of each publication that any of the applicants authored or co-authored and which describe the disclosed subject matter of workforce management, scheduling, forecasting, and planning, and the related costing, benefit, and shrinkage techniques.
3. In response to this requirement, please provide the title, citation, and copy of each publication that any of the applicants relied upon to develop the disclosed subject matter that describes the applicant’s invention, particularly as to developing the algorithmic system and method for long-range planning. For each publication, please provide a concise explanation of the reliance placed on that publication in the development of the disclosed subject matter.
4. In response to this requirement, please provide the title, citation and copy of each publication that any of the applicants relied upon to draft the claimed subject matter. For each publication, please provide a concise explanation of the reliance placed on that publication in distinguishing the claimed subject matter from the prior art.
5. In response to this requirement, please provide the names of any products or services that have incorporated the claimed subject matter. If available, also provide and operating manuals or procedures for the products or services.
6. In response to this requirement, please state the specific improvements of the subject matter in claims 1-42 over the disclosed prior art and indicate the specific elements in the claimed subject matter that provide those improvements. For those claims expressed as means or steps plus function, please provide the specific page and line numbers within the disclosure that describe the claimed structure and acts.

In the present application, there are currently no claims expressed as means or steps plus function, however, if such claim language is included in any future claims, this requirement is automatically invoked as to those claims.

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7. In responding to those requirements that require copies of documents, where the document is a bound text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure.

8. The fee and certification requirements of 37 CFR 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 CFR 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 CFR 1.105 are subject to the fee and certification requirements of 37 CFR 1.97.

9. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained may be accepted as a complete reply to the requirement for that item.

10. This requirement is an attachment of the enclosed Office action. A complete reply to the enclosed Office action must include a complete reply to this requirement. The time period for reply to this requirement coincides with the time period for reply to the enclosed Office action.



20050620



TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600